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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/922,158	08/06/2001	Kia Silverbrook	YU133US	3410

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SILVERBROOK RESEARCH PTY LTD
393 DARLING STREET
BALMAIN, 2041
AUSTRALIA

EXAMINER

NGUYEN, LAM S

ART UNIT	PAPER NUMBER
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2853

DATE MAILED: 03/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/922,158	Applicant(s) SILVERBROOK, KIA	
	Examiner LAM S NGUYEN	Art Unit 2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-12,16,17,19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-12,16,17,19 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 April 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/113053.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

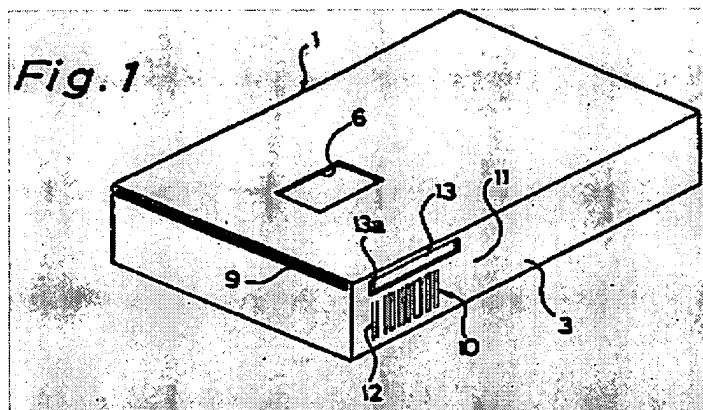
A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 5-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Takano et al. (US 5053814).

Takano et al. disclose a printing cartridge (FIG. 1, element 1) that is releasably engageable with a printing device (Fig. 2, element 2) having a linear reader (FIG. 5, element DATA READING MEANS) for reading a barcode (FIG. 1, elements 10, 12) and a central processor (FIG. 12, element MPU) capable of interpreting data carried on a barcode, the printing cartridge comprising:

a housing (FIG. 1, element 3);



a media supply arrangement positioned within the housing and containing a supply of media (FIG. 2: paper 5);

a feed mechanism positioned in the housing for feeding the media to a printing mechanism (FIG. 2); and

a barcode (FIG. 1, element 12) depicted on the housing, the barcode being readable by the linear reader and defining a code representing data relating to the media (column 2, line 58-65).

Referring to claim 7: in which the barcode is positioned on the housing so that the linear reader of the printing device reads the barcode during engagement of the printing cartridge with the printing device (FIG. 5: the data reading means reads the barcode 12 during the engagement of the printing cartridge 1 and the printer 2).

Referring to claim 8: wherein the code defined by the barcode represents data related to at least one of: a serial number identifying the media, a type of the media and a length of the media (column 2, line 57-65: size and quality of paper).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takano et al. (US 5053814) in view of Suzuki (US 5757393).

Takano et al. disclose the claimed invention as discussed above (See the first rejection) and also disclose that the linear reader comprises a barcode scanner and the processor includes a scanner interface connected to the barcode scanner to interpret a signal received from the

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barcode scanner into said code (column 3, line 60-64) (**Referring to claim 17**). However, Takano et al. do not disclose wherein the processor is incorporating a memory module in which a look up table is stored, the lookup table being accessible by the processor and containing codes representing data relating to the media and corresponding to possible codes defined by the barcode.

Suzuki discloses an image apparatus having a barcode reader to read a barcode representing the characteristics of printing medium (column 6, line 50-57) and a processor (FIG. 1, element 27: CPU) incorporating a memory module (FIG. 1, element 27: RAM or ROM) in which a look up table is stored, the lookup table being accessible by the processor and containing codes representing data relating to the media and corresponding to possible codes defined by the barcode (column 4, line 65 to column 5, line 45: the type of recording medium is coded in hexadecimal number which is read by a barcode reader (column 6, line 45-46). Based on the table containing the information of X_n and a_{nn} , the CPU converts the information and prepares the image recording condition for the corresponding printing medium).

Therefore, it would have been obvious for one having ordinary skill in the art at the time the invention was made to modify the printing system disclosed by Takano et al. such that incorporating the processor with a memory module having a look up table and being accessible by the processor and containing codes representing data relating to the media and corresponding to possible codes defined as disclosed by Suzuki. The motivation of doing so is to obtain a high grade image formed without regard to the type of recording medium as taught by Suzuki (Abstract).

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3. Claims 9-12 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takano et al. (US 5053814) in view of Suzuki (US 5757393) as applied to claims 5 and 16, and further in view of Matsui et al. (US 6062667).

Takano et al., as modified, disclose the claimed invention as discussed above (See the first and second rejections) except that the barcode representing data relating to the media colorant of the printing cartridge.

Matsui et al. disclose an ink jet recoding apparatus (FIG. 13, element 24) including a printing cartridge (FIG. 13, element 21) having a barcode (FIG. 13, element 37) on its housing, wherein the barcode representing data relating to the media colorant of the printing cartridge (column 6, line 57-66).

Therefore, it would have been obvious for one having ordinary skill in the art at the time the invention was made to modify the printing cartridge in the printing system disclosed by Takano et al., as modified, such that the printing cartridge contains the medium colorant and the barcode representing data relating to the media colorant as disclosed by Matsui et al. The motivation of doing so is to provide an inkjet recording apparatus of high performance and high reliability in which an ink jet recording head changes its driving conditions in accordance with the ink used as taught by Matsui et al. (column 7, line 10-15).

Response to Arguments

Applicant's arguments with respect to claims 5-12,16,17,19 and 20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAM S NGUYEN whose telephone number is (571)272-2151.

The examiner can normally be reached on 7:00AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, STEPHEN D MEIER can be reached on (571)272-2149. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LN

March 4, 2004



HAI PHAM
PRIMARY EXAMINER